




# TOWN OF FAIRFAX

## STAFF REPORT

### October 4, 2017

**TO:** Mayor and Town Council

**FROM:** Garrett Toy, Town Manager 

**SUBJECT:** Receive status report on Local Regulatory Options for Non-Medical and Non-Dispensary Medical Marijuana activities

---

#### **RECOMMENDATION**

Receive status report including the consideration in November of an urgency ordinance placing a moratorium on all commercial non-medical and medical marijuana activities other than what is listed in the Town code until local regulations can be adopted.

#### **BACKGROUND**

At its April 2017 meeting, the Council discussed key policy issues regarding local regulation of non-medical marijuana and changes to State law which will require amendments to the Town's medical marijuana regulations.

The Council determined that it wanted to consider additional community input on the issues before providing direction to staff. Specifically, the Town would conduct community on-line forum surveys similar to the ones conducted for medical marijuana cultivation and delivery. In addition, the Council indicated it would like to hold a panel discussion on the issues. This panel would consist of critics, proponents, and professionals knowledgeable of the issues and would be open to the community. However, due to limited staff resources and changing priorities, staff was unable to conduct the survey and panel discussion by October. We are now scheduled to conduct the survey in October and panel discussion in November.

However, the State is now saying they are not ready to issue licenses in January, but will be issuing "temporary licenses" in December. Due to the timing, the Council will need to consider enacting a moratorium on non-medical marijuana and non-dispensary medical marijuana commercial activities while it solicits community input on the matter.

Towards this end, staff will return to the Council at its November meeting with an urgency ordinance placing a moratorium on all commercial non-medical and medical marijuana activities other than what is listed in the Town Code. This moratorium would alleviate the concern that the Town would not have its local regulations in place prior to the state issuing commercial licenses.

#### **FISCAL IMPACT**

None